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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on May 14, 1999.

*Patricia A. Johnson*  
Patricia A. Johnson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the application of:

John C. HISERODT

Serial No.: 09/162,648

Filing Date: September 29, 1998

For: CANCER IMMUNOTHERAPY USING  
ALLOSTIMULATED CELLS IN A  
MULTIPLE SEQUENTIAL  
IMPLANTATION STRATEGY

Examiner: Not Yet Assigned

Group Art Unit: 1636

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(d) dated October 14, 1998, attached please find:

- Copy of the Notice to File Missing Parts of Application;
- Petition for Extension of Time (five months);
- Check in the amount of \$990.00 (\$65 surcharge, \$925 extension fee);
- Declaration for Utility Patent Application;
- Certificate Under 37 C.F.R. § 3.73(b) with copy of Assignment;
- Verified Statement Claiming Small Entity Status;

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952**. A duplicate copy of this transmittal is enclosed for that purpose.

Respectfully submitted,

By:

  
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Dated: May 14, 1999



Applicant/Patentee: John C. Hiserodt

Docket No.: 337452001100

Serial No./Patent No.: 09/162,648

Filed on/Issued : September 29, 1998

For: CANCER IMMUNOTHERAPY USING ALLOSTIMULATED CELLS IN A MULTIPLE SEQUENTIAL IMPLANTATION STRATEGY

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9(f) AND 1.27(c) — SMALL BUSINESS CONCERN**

I hereby declare that I am

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Meyer Pharmaceuticals, LLC

ADDRESS OF CONCERN: 1761 Kaiser Avenue, Irvine, California 92614

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled CANCER IMMUNOTHERAPY USING ALLOSTIMULATED CELLS IN A MULTIPLE SEQUENTIAL IMPLANTATION STRATEGY by inventor(s) John C. Hisenrodt, described in

- the specification filed herewith with title as listed above.  
 the application identified above.  
 the patent identified above.

If the rights held by the above identified business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.  
 each such person, concern or organization is listed below.

NAME	ADDRESS	TYPE
		<input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Michael O'Neill

TITLE OF PERSON IF OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: Meyer Pharmaceuticals, LLC  
1761 Kaiser Avenue  
Irvine, California 92614

SIGNATURE: 

DATE: 5-18-99